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GOVERNMENT GAZETTE

BOLETIM OFICIAL

SUPPLEMENT

(SUPLEMENTO)

GOVERNMENT OF GOA, DAMAN AND DIU

Secretariat

Law Department

Notification

L.D. 60/65

The following rules, made by the Court of Judicial Commissioner of Goa, Daman and Diu, under section 20(1) of the Goa, Daman and Diu (Judicial Commissioner's Court) Regulation, 1963, are hereby published for general information.

Kant Desai, Under Secretary.

Panjim, 23rd December, 1965.

Definitions

In supersession of the rules published in Government Gazettes No. 4, I Series, dated 23rd January 1964, and No. 16, I Series, dated 16th April 1964 relating to the transaction of business, the following rules are made by the Court of Judicial Commissioner, Goa, Daman and Diu under S. 20(1) of the Goa, Daman and Diu (Judicial Commissioner's Court) Regulation, 1963:—

Rule No. 1.—In these rules, unless the context otherwise indicates—

«Code» means the Portuguese Civil Procedure Code; and

«Court» means the Court of Judicial Commissioner for Goa, Daman and Diu.

Rule No. 2.—The Office of the Court, except during vacation and on holidays, shall subject to

the order by the Judicial Commissioner, be open daily from 10 a. m. to 5.30 p. m., but no work, unless of an urgent nature, shall be admitted after 5 p. m.

Rule No. 3.—The Office of the Court shall be open during vacation, except on holidays, at such time as the Judicial Commissioner may direct.

Rule No. 4.—Unless the Judicial Commissioner directs otherwise, the Court shall sit thrice a week, on Mondays, Wednesdays and Fridays, from 10.30 a. m. to 1.00 p. m. and from 3.00 p. m. to 5.00 p. m. except during vacation and holidays. If, however any of these days is a holiday the sitting of the Court shall be on the next working day.

Rule No. 5.—The Judicial Commissioner may provide for disposal of all matters of an urgent nature during vacation, and for that purpose, he may either hear such matters himself, sitting singly, or may direct that any one of the Additional Judicial Commissioners may hear such matters sitting singly, provided final orders or judgement is not passed by him in such matters.

Rule No. 6.—In so far as *Apelação* (Appeals against Decrees) and *Agravos* (Appeals against interlocutory orders etc.) regulated by the provisions of the Code are concerned, the *Ccmarca* and the *Julgado Courts* shall continue to exercise the jurisdiction and powers vested in them under the Code, except in so far as these rules provide differently.

Rule No. 7.—The memorandum of appeal and the written statement may be presented in Portuguese or in English. Where such memorandum or written statement is in Portuguese, it shall be accompanied by its English translation duly certified as correct by the Advocate for the appellant or the respondent as the case may be.

Rule No. 8. — Appellant shall supply without prejudice to the requirements of rule 10 (d) to the Comarca or the Julgado Court, as the case may be, as many copies of the memorandum of appeal (allegação) as the number of respondents, in addition to four copies for the Court. The respondent shall also supply four copies of the written statement (contra minuta) for the Court and the fifth for the appellant. Where memorandum of appeal or written statement is in Portuguese such copies shall be of its translation in English.

Rule No. 9. — The Comarca or the Julgado Court, as the case may be, shall despatch without delay the records (processos) to the Court.

Rule No. 10. — Upon receipt of such records in the Court, there shall be no distribution of the appeals as provided in Art. 2 (rule 2) of the Rules of business published in the Goa, Daman and Diu Government Gazette dated 23rd January 1964, but instead the transaction of the business of the Court shall be as follows:

- a) Where the respondent is aggrieved by the order of the Comarca Court or the Julgado Court, as the case may be, admitting the appeal (admissão do recurso) the question whether the appeal was properly admitted or not shall be decided by the Court.

This procedure shall also govern the Stay Orders (efeito suspenso) passed by the Comarca Court or the Julgado Court.

- b) Where the appellant or the respondent is aggrieved by the order of the Comarca Court or Julgado Court admitting the appeal «apelação» as «agravo» or appeal, «agravo» as «apelação» the question whether such appeal is «apelação» or «agravo» shall be decided by the Court.
- c) Where the respondent is not aggrieved by the Order admitting the appeal (admissão de recurso), the appeal shall be posted for hearing in open Court after the paper book is prepared in the manner hereinafter provided.
- d) Where the appeal is not admitted (o recurso não é admitido) by the Comarca Court or the Julgado Court, the appellant may apply to the Court for admission of the appeal, and the Court may after examining the records, if necessary, either admit the appeal (admitir o recurso) or reject it. Where the appeal is admitted, the records, if called for, shall be returned to the Comarca Court or Julgado Court, as the case may be, for compliance with the formalities laid down under the Code. After the Comarca Court or Julgado Court has complied with the formalities, the appeal shall be fixed for hearing as provided in sub-rule (c).
- e) In respect of appeals and other matters the «preparo» where necessary shall be deposited within thirty days from the date of the service of the notice by the Registrar of the Court on the parties concerned. The appellant thereafter shall be served notice by the Registrar requiring him to file his memorandum of appeal in appeal «apelação» within 30 days from the date of service of notice in case no such memorandum was filed in the Comarca or Julgado Court. The

respondent thereafter shall be served notice by the Registrar requiring him to file his written statement within 30 days from the date of service of notice.

Rule No. 11. — There shall be no distribution of the cases relating to conflicts of jurisdiction and competence (conflictos de jurisdição e competência), revision of foreign sentences (revisão de sentença estrangeira) and other cases on the original side, but instead they shall be tried, heard and determined by the Court. The parties shall file five copies of translation in English of their pleadings and of any other document in Portuguese on which they may like to rely on or refer to or read wholly or in part at the hearing of the case.

Rule No. 12. — Rules 6 to 10 of these rules shall also apply to Criminal appeals governed by the Portuguese Criminal Procedure Code.

Rule No. 13. — There shall be no distribution of Civil appeals (apelações e Agravos) and Criminal appeals (recursos penais) and other matters pending in the Court when these rules come into force.

Rule No. 14. — Civil and Criminal appeals and other matters pending in the Court when these rules come into force whether distributed or not shall be heard in open Court.

Rule No. 15. — The Judicial Commissioner or Additional Judicial Commissioner, sitting singly, may make such interim or interlocutory orders in any appeal or case pending in the Court either unconditionally or upon such terms and conditions as he may think just and proper.

Rule No. 16. — If any difficulty or doubt arises in giving effect to these rules, the Court may, by order, make such provision as appears to it to be necessary and expedient for removing the difficulty or doubt.

Paper Book

Preparation of paper books and translations

Rule No. 17. — Paper books of appeals known as «apelação» shall contain the items arranged serially in the order stated below: —

- 1) Pleadings (articulados);
- 2) Facts admitted and issues (especificação e questionário); and
- 3) Judgement.

Rule No. 18. — In addition to the above mentioned items the paper book shall contain also such other documents and depositions of witnesses which the parties to the appeal may like to rely on or refer to or to read wholly or in part at the hearing of the appeal.

Rule No. 19. — The documents, wherever possible, shall be arranged in chronological order.

Rule No. 20. — The appellant shall supply for inclusion in the paper book four copies of translation in English of the pleadings in addition to the copy/copies of such translations to be given to the respondents.

Rule No. 21. — The paper books of appeals known as «Agravos» shall consist of copies of:

- 1) Original application seeking relief and the order thereon;
- 2) Reply of the opposite party to the said application, if any; and
- 3) Any document or deposition of witnesses which the parties to the appeal may like to rely on or refer to or to read wholly or in part at the hearing of the appeal.

Translation or Copies for Paper Books

Rule No. 22. — i) Within two months of the intimation of the receipt of the records of *apelação* in the Court and within one month of such intimation in other cases, the appellant or his advocate shall file: —

- a) A note for official translation of documents to be included in the paper book and/or a list of documents which he intends to get translated by any translator other than official translator for inclusion in the paper book, and
- b) A list of documents in English, copies of which he intends to include in the paper book.

Copies of the note and/or the list shall be furnished forthwith by the appellant or his advocate to the respondent or his advocate.

Within a week of the receipt of such copies the respondent or his advocate may file similar note and/or lists and furnish copies thereof forthwith to the appellant or his advocate.

The Registrar may on sufficient cause being shown grant time or delay for a total period upto one month in «*apelação*» cases and in other appeals for a period upto 15 days.

ii) The Registrar shall without delay seek the order of the Court in the event of non-compliance with the requirements of sub-rule (i).

Rule No. 23. — i) Notes for official translations shall clearly state the number and portions of documents the translations of which are required.

The portion of the documents or accounts required to be translated shall be initialled.

ii) Where documents included in lists for translation by translators other than official translator are not intended to be translated in whole, the parts intended to be translated shall be clearly indicated in the lists.

iii) Notes for official translation filed by parties in person or by advocates who do not undertake to pay translation charges shall be referred to the Head translator for estimating translation charges including the charges for the requisite number of typed copies of the translations. Such party or advocate shall, within 14 days, from the date of the receipt of the intimation regarding the estimated charges from the translator, deposit the necessary estimated charges;

Provided that no such deposit shall be required to be made if any advocate in his note for translation personally undertakes to pay the translation charges.

iv) The work of translation shall not be commenced unless deposit is made or an undertaking is given.

Rule No. 24. — i) All official translations duly typed, except in the case of criminal petitions when the accused is in jail and is not appearing by advocate, shall be charged at the rate of Rs. 2/- for each page of 250 words. All official translations shall be prepared by the translators' Office, and if that is not possible by retired translators or by such other translators or advocates as may be authorised by the Judicial Commissioner, or by any Additional Judicial Commissioners nominated by him. In case there is congestion of work in the translators' Office and likelihood of delay in furnishing of translations, the Registrar may instead of assigning the translation work to the office, assign it, with the prior approval of Judicial Commissioner or Additional Judicial Commissioner nominated by him, to translator other than official translator, on payment of the prescribed charges. The Registrar in such cases may further direct that the work of translations shall be completed and the translations with necessary typed copies supplied within a stipulated time.

The translations shall on no account be delayed by the Translation Department.

ii) Payment for translations shall be made to the translation Department where translations are made in that Department. In default of such payment, the translator, shall report the matter to the Registrar for orders, and the Registrar may extend the time for payment for a period not exceeding fourteen days.

iii) The fees for translation paid by a party or his advocate shall be credited to Government, and the receipt duly given by the Translation Department.

Rule No. 25. — Except as otherwise provided in these rules, translations in appeals by translators other than official translators shall be filed by the parties within two months of the date on which their respective lists are filed as provided in rule 22(i) above.

Such translations shall be certified as correct by the advocate. Translations by translators other than official translators shall not be accepted for inclusion in the paper book after the stipulated period without the order of the Registrar who may extend the time for filing such copies or translations or condone delay upto one month, failing which translations shall not be accepted without the leave of the Court.

Four typewritten or printed copies of such translations shall be supplied to the Registrar's Office. One typewritten copy shall also be supplied to each party appearing on the opposite side or his advocate. Where one advocate appears for more parties than one, he will be entitled to receive only one copy of the translations.

The costs of the translations and their copies shall be included in the bill of costs only if the advocates, concerned have filed the necessary information as regards folios at the time of filing the translations and their copies as required above or within such further time as the Registrar may grant on a written application made to him in that behalf. If no such application is made before the hearing of the appeal, the costs of such translations shall not be shown in the bill of costs, unless otherwise directed by the Court at the hearing of the appeal.

Rule No. 26. — The last preceding rule shall extend and apply to copies of English documents included, or intended to be included, in paper books.

Rule No. 27.— Any party applying for official translations of the entries on a map or plan shall furnish to the office at least four copies of tracings made to scale of such map or plan omitting only the entries to be translated. Such copies will on application be prepared and furnished by the Office and may be obtained on payment of Rs. 2/- per copy.

Rule No. 28.— These rules shall come into force on their publication in the Government Gazette.

V. S. Jetley.
Judicial Commissioner.

Dr. Alvaro Dias.
Additional Judicial Commissioner.

R. S. Bindra.
Additional Judicial Commissioner.

Mormugao Port Trust

Notification

MPT/10-GA(7)/65

As required under Section 124 of the Major Port Trust Act, 1963, the following Regulations which have been adopted by the Board of Trustees are hereby published.

1. **Short title.**— These regulations may be called Mormugao Port Regulations.

2. **Definitions.**— In these regulations, unless the context otherwise requires, —

(1) "Act" means the Major Port Trusts Act, 1963.

(2) The expressions 'Board', 'Chairman', 'Deputy Chairman', 'Vessel', 'Master', 'Owner' and 'Goods' have the same meanings as in the Act.

(3) 'Bulk Oil Vessel' means a vessel licensed to carry petroleum in bulk as cargo.

(4) 'Certified Petroleum' means petroleum certified to be non-dangerous petroleum by a certificate of such description as the Central Government may from time to time by a written order, prescribed, granted at the port of shipment.

(5) 'Dangerous Petroleum' means petroleum having its flashing point below 24.4 degrees Centigrade.

(6) 'Deputy Conservator' means the Head of the Marine Department and includes the Harbour Master or any officer duly authorized by the Head of the Marine Department in this behalf.

(7) 'Fuel Oil' means petroleum oil having a flash of not less than 65.6 degrees Centigrade and ordinarily used as fuel in engines and furnaces.

(8) 'General Guarantee' means a guarantee in the form set out in Appendix 'E'.

(9) 'Motor Vehicle' means vehicle propelled by mechanical means.

(10) 'Petroleum' means any liquid hydro carbon or mixture of hydro carbon and any inflammable mixture liquid viscous or solid containing any liquid hydro carbon, but does not include any oil ordinarily used for lubricating purpose and having a flashing point at or above 93.3 degrees Centigrade.

(11) 'Port' means the Major Port of Mormugao.

(12) 'Specified' means specified by the Board.

(13) 'Traffic Manager' means the officer for the time being in charge of Traffic Operations in the Port and includes the Deputies and Assistants to the Traffic Manager and any officer or officers acting under the authority of the Traffic Manager.

(14) 'Vehicle' means any cart, carriage, lorry, truck or other wheeled contrivance, used for the transportation by road of human beings or of property.

II. Admission of vessel into Port

3. **Application for a berth in Port.**— In respect of every vessel desiring to enter Port an application shall be made in advance in the form prescribed by the Board to the Traffic Manager and the Deputy Conservator, by the Master, owner or agents furnishing the following particulars:

- (i) Name of Steamer and its owners.
- (ii) Description of cargo.
- (iii) Gross and net registered tonnage.
- (iv) Length over all and maximum draft.
- (v) Dead-weight tonnage, and such other information as may be required.

4. **Order of priority for berthing.**— The following order of priority for berthing of ships at the alongside berths shall normally be followed, except at berth no. 6 in respect of which a separate order of priority is prescribed under the existing relevant Regulation made under Decree Law no. 41816 vide article no. 25 of Portaria no. 17081.

- (a) Passenger Vessels.
- (b) Petroleum Tankers.
- (c) Ships carrying foodgrains and perishables.
- (d) Cargo vessels.

Notes:— (i) A vessel mentioned in item (a), provided arrival is intimated to the Port at least 24 hours in advance, will have the berth free for her immediate berthing, except for reasons of force majeure.

(ii) Vessels mentioned in (b) and (c) will be berthed at the first available suitable berth, except berth no. 5, provided their arrival is intimated to the Port at least 48 hours in advance.

5. **Alteration of the Order of precedence in allotting berths.**— The order of priority laid down in Regulation (4) may be altered when the safety of navigation so requires or for reasons of force majeure, or when the services of the quay so demand.

6. **Allotment of berth.**— A vessel shall have no claim to a berth in Port until one shall have been specially allotted to her. Furthermore, allotment of any berth in Port shall only be considered as provisional until a vessel is actually ready to enter Port and her suitability for and right to such berth is established.

7. **Preferential berths.**— Berths in Port may, at the discretion of the Trustees, be declared from time to time as «preferential berths» for certain types of vessels arriving to discharge or load certain specified commodities/quantities of cargo. Such berths, however, may at any time be allotted to the vessels not entitled to preferential berth if such allotment is considered advisable or necessary for Port convenience.

8. **Import vessel to be given a loading berth, if required.**—A vessel having discharged her import cargo in Port, which should not be less than 150 tons, shall, if required and subject to compliance with these regulations be allotted and allowed to occupy a loading berth, provided the cargo to be loaded does not exceed 2000 tons.

9. **Refusal to allot a berth.**—If the Traffic Manager or the Deputy Conservator considers that there is good reason why a vessel should not be admitted in the Port, he may refer the question to the Chairman of the Board and pending the Chairman's decision he may refuse to allot a berth.

10. **Master to be in command of vessels.**—A vessel shall not be permitted to enter or leave Port or to be moved from one berth to another in Port unless the Master of such a vessel or other Chief Officer holding a Master's certificate is on board and is in actual command. Under exceptional circumstances, such as the death or serious illness of the master, special arrangements shall be made with the Deputy Conservator.

11. **Orders etc. of the Deputy Conservator to be carried out**—Masters and owners of vessels shall comply with all directions of the Deputy Conservator in relation to the rotation and manner of approaching the Port entrance and of coming into or going out of Port.

12. **Vessels to be under power or assisted by tugs.**—A vessel shall not be permitted to navigate to Port entrance channel unless propelled by her main engine or assisted, when necessary, by an efficient steam tug or tugs. In the event of insufficient steam power being provided by the master or owner, or whenever the Deputy Conservator considers it desirable, to do so, he may employ the Board's and any other available steam tug or tugs for duties in connection with any vessel navigating the Port's entrance channel or berthing or unberthing; and the master or owner of every such vessel shall pay a fixed rate for the use of the Board's tug and shall pay for the use of any other tug engaged at such rate as the owner thereof usually charges for a similar work. Masters of vessel using the Port should under no circumstances drop or shut down steam on their main engines without prior permission of the Deputy Conservator.

13. **Supply of lines hawsers etc.**—Vessels entering Port shall have in readiness and supply for use such steel wire and other hawsers as may be required for each how and quarter as may be necessary to facilitate entry or to protect the vessel whilst berthing alongside.

14. **Vessels riggers and appliances to be in readiness.**—Masters or owners of vessels shall employ sufficient number of crew, and keep in readiness such as may be necessary appliances on Board for working their vessels in and out of the Port channel and in Port. In default or whenever necessary, the Deputy Conservator shall employ such number of personnel and make available such appliances as he may consider necessary at the expense of the master or the owner.

15. (a) **Anchors to be ready.**—Vessels when entering, leaving or being moved in Port, shall have

both anchors ready for letting go at a moment's notice.

(b) Immediately after vessels have been moored in their berths and so long as they remain in Port, the idle anchors shall be properly stowed.

(c) **Projections from a vessel's side.**—Vessels when entering, leaving, being moved, or lying in Port alongside Quay walls shall have their sides free of all projections. Their boats, davits and derricks shall be swung in board.

(d) **Responsibility of masters etc. for accidents.**—Master and owners of vessels shall be responsible for all accidents which may in any way result from failure to adopt any of the foregoing precautions.

16. **Vessels lying outside the Port entrance channel to be moved.**—A vessel lying in the Harbour near the entrance to the Port or in the fairway of the channel, or near the entrance channel in the pilotage waters of the Harbour shall be removed by the Master or Owner if and when required by the Deputy Conservator. Should such removal be not effected promptly it shall be carried out under the orders and directions of the Deputy Conservator at the risk and expense of the Master or owner of such vessel.

III. Regulations for vessels in the Port

17. (1) All vessels within the Port shall take up such berths as may be assigned to them by the Traffic Manager or the Deputy Conservator and shall change their berths or move when required by either of the said officers.

(2) No vessel shall cast off a warp that has been made fast to her to assist a vessel moving, without being required to do so by the Pilot or the Harbour Master in charge of the vessel moving.

18. **Master etc. to move his own vessel when necessary and to take all precautions on board to safeguard life or property.**—A vessel in Port shall be deemed to be in the charge of her Master or owner and it shall be the duty of the Master or owner, when necessary to transport his vessel with his own hawsers etc., and appliances under his own responsibility to and from any part of Port, to see that all gangways are securely placed and that at sunset or when not in use, all hatchways are properly secured and covered in order to safeguard life and property.

19. **Mooring, unmooring and moving vessels in Port under orders of the Deputy Conservator.**—Masters or owners of vessels and serangs, Tindals, and other persons in charge of launches, barges, or other small craft shall obey the directions of, and shall offer no obstruction to, the Deputy Conservator, in regard to the mooring, unmooring or moving of any vessel in Port. Launches, barges, or other small craft shall not be moored or allowed to lie off side vessels in Port except in single file and the Deputy Conservator shall employ whatever means may be required to enforce this rule and prevent double banking. In case it becomes necessary, the Deputy Conservator shall employ whatever means may be required to enforce his orders and the expenses so incurred shall without prejudice to any penalty to which the master or owner in the fault may be liable, be payable by such Master or owner. Master of vessels must ascertain from the Deputy Conservator the drafts which their vessels may load and cross the channel.

20. **Mooring improperly.** — Master or owners of vessels in Port shall not permit the ropes or hawsers of their vessels to be made fast to any place or places in Port other than the bollards, or other appliances specially provided for the purpose.

21. **Vessels to be in the charge of competent persons.** — During such time a vessel remains in port, the master or owner or other responsible officer and sufficient crew shall always be on Board and shall superintend and direct the carrying out of all the duties in connection with the vessel or the loading or of the unloading of the cargo.

22. **Watchmen to be kept on deck.** — A vessel in Port shall maintain a Quarter Master or watchman always on duty on deck, who shall be stationed in charge of the vessel's shore gangway and who shall attend to the mooring rope and lines of the vessels and shall cause their adjustment from time to time as necessary always on the rise or fall of the water; in default the Master or the Owner of the vessel shall be liable and responsible for any damage in such default.

23. **Vessel's propeller not to be worked.** — While a vessel is berthed or moored in Port, a propeller shall not be moved either by power or hand without the previous written permission of the Deputy Conservator and subject to such conditions as he may direct. Masters and owners shall be responsible for any damage that may result from the moving of any propeller by power or hand notwithstanding that the permission required by this regulation has been obtained.

24. **Anchor or other gear dropped in Port etc. to be recovered.** — Masters and owners of vessels shall be responsible for the immediate buoying of any anchor or gear that may have been dropped over board from their vessels in Port and shall take all steps necessary for the removal from the water of any such anchor or gear within one tide.

25. **Vessels to be properly ballasted.** — Vessels in Port shall be kept so loaded or ballasted that in the event of fire or other emergency arising, they may with safety and without danger be removed from their berths.

26. **Repairing vessels.** — (1) No repairs to any vessel shall be carried out without the permission, in writing, of the Deputy Conservator. A vessel shall not, normally, be permitted to carry out repairs, involving its immobilisation, in the Port unless a suitable berth can be allotted. Any permission shall be subject to the condition that the Owner, Master or any person in charge of the vessel shall not allow the commencement of any repairs involving the use of naked lights, gas cutting or welding apparatus to, or in the vicinity of the Fuel storage tanks or the fuel system or involving the entry of any person into any Fuel Storage tanks of such vessel wherein petroleum may have been deposited unless such Owner, Master or other person has obtained a Vapour Free certificate from the Inspector of Explosives. Such Owner, Master or other person shall be liable to indemnify the Board for any loss or damage, whatsoever, arising directly or indirectly from any breach of this Regulation.

(2) A berth allotted under sub-regulation (1) shall be vacated if and when required for a vessel desiring to load or unload cargo.

(3) When a vessel is under repairs in the Port and in the course of repairs, it becomes necessary to open up any of the overside pipes, such pipes shall be rendered safe by being blanked off. The Master or the officer in charge of the vessel and the owner of the vessel shall be responsible for any accident that may in any way arise from neglect to take these precautions and for all liabilities that may arise as a result of the accident.

(4) Repairs or works to any vessel in Port shall be carried out in such a manner that no chipping, acalling, pieces of wood or iron or likeloose substances or materials shall be allowed to fall into Port and a canvass shoot or staging shall in every instant be erected in order to effectively prevent any such loose materials as aforesaid from so falling. The Traffic Manager or Deputy Conservator may if considered desirable prohibit chipping or repairs causing excessive noise between the hours 9,30 p.m. and 06,00 a.m.

27. **Use of inflammable materials etc. on board the vessels.** — Pitch, resin, tallow, or other inflammable materials shall not on any account be melted on board any vessel in Port or on the quay except in such manner and in such places as shall be appointed by the Deputy Conservator or Traffic Manager, nor shall any pitch, tar, oil flax, oakum, straw, shavings, or other inflammable or combustible articles be allowed to remain on the Deck of any vessel or on the quays, wharves or roads in Port.

28. **Goods etc. not to be allowed to fall into Port.** — No cargo, goods or substance whatsoever shall be deposited, thrown or allowed to fall from any vessel, Quay or Pier into Port channel or entrances or into Port channel or entrances or into Port. In the event of any such cargo, goods or substance being so deposited, thrown or allowed to fall as aforesaid, the person, Master, Owner, or stevedore in whose charge, the cargo, goods, or substance was at the time shall be responsible and shall be liable for any loss or damage which may arise in consequence.

29. **Notice to be given of goods rubbish etc. falling into Port.** — Any person or the Master or Owner of any vessel or the Stevedore engaged in loading or unloading any vessel who shall allow any such cargo, goods or substance referred to in the regulation preceding to fall from any vessel, pier, or quay into the Port waters or into Port shall forthwith give notice of the occurrence and furnish all particulars connected therewith to the Traffic Manager and the Deputy Conservator and shall immediately take measures to have the said cargo, goods or substances removed from the water.

30. **Recovery of goods rubbish etc. fallen into Port.** — If any person, Master or Owner of a vessel or Stevedore required under the preceding regulation remove any cargo goods or other substance from the water fails to remove the same within 18 hours of the receipt of a notice from the Deputy Conservator calling upon him to do so, the Deputy Conservator may remove such cargo goods or substance at the expense of such defaulting person, Master Owner or Stevedore and such expenses shall be recovered from the person, Master, Owner or Stevedore, without prejudice to any penalty to which that person, owner or stevedore may be liable.

30 (a). **Ashes, rubbish etc. not to be deposited on Quay etc. without permission.** — No person shall

without authority from the Traffic manager deposit upon any Quay or pier, in the shed or any part of the Port, any ashes, ballast, basket, bottles, cinders, dirt, dung, dust refuse, rubbish, shavings, stones or other likeloose materials or substances.

31. Prevention of materials falling into Port disposal of ashes etc. — Masters or Owners of vessels or Stevedores loading or unloading ashes, ballast, bricks, cinders, coal, dustlime, rubbish shingle, stones, tiles or any other loose matter or thing, shall use for such purposes a Canvass cloth or wooden shoot, to the satisfaction of the Deputy Conservator. Ashes, cinders, dust and rubbish shall be landed on the Quay in such place as may be directed by the Traffic Manager whence it shall be carted away at the expense of the Master, or owner of the vessel.

32. Bilge water etc. not to be pumped into Port. — (1) No ballast, earth, ashes, stones, rubbish, waster materials, filth, oil, ballast water containing oil, bilge water, sewage or refuse or any other article, substance or thing of whatever kind liable to foul or capable of fouling the water shall be thrown, discharged, placed, put, emptied or allowed to leak or flow or to fall from any vessel, Quay or Pier into the Port waters or into the Port.

33. Cleaning of bilges etc. — Bilges before being cleaned out shall be freely flushed and they, as well as tanks, shall be left open for at least one hour before any person is allowed to enter for cleaning or for any other purpose. During this time and while the cleaners or others are at work either at the bilges, tanks or other confined spaces on board a vessel, a constant supply of fresh air shall be pumped into such bilge, tank, or other confined space by means of ventilating fans fitted with stout permanently distended hose pipes sufficiently long to reach the most distant compartment. Masters and Owners of vessels shall be responsible for any accidents attributable any way neglect to take these precautions.

34. Projections from deck of a vessel. — Projections from Deck of any vessel which interfere with the loading or unloading of any other vessel in Port shall be forthwith removed on requisition by the Traffic Manager.

35. Exhaust etc. pipes. — Exhaust steam or water from winches or other machines or engines on board the vessels in port shall be laid down the side of the vessel to below coping by a hose or other effective appliance.

36. Gangway lights. — Between sunset and sunrise two lights in properly secured lanterns shall be exhibited at the gangway of every vessel having a Quay side berth in Port. One of the lights shall be fixed at the ship end of the gangway and one at the Quay end of the said gangway.

37. Fenders. — Fenders provided by the Port at Quay jetty berths shall not be lifted or removed by the Masters of vessels or their Stevedores.

38. Bells. — Bells shall not be struck to denote the hour on board any vessel in the Port.

39. Dangerous animals and fire arms. — Vicious or dangerous animals and loaded guns or fire arms shall not be kept or allowed on board any vessel in the Port.

40. Vessels with dangerous cargoes etc. — The Deputy Conservator may order immediate removal from Port of all vessels having on board animal manures or other offensive or dangerous cargoes or persons suffering from infectious diseases.

41. Master etc. of vessels responsible for damages. — Masters and owners of vessels shall be held liable for any damage whatsoever that shall have been caused by their vessel's or servants to any of the works or property of the board and the board reserves the right to detain their vessels in Port until security has been given for the amount of damage caused.

42. Vessels etc. in Port at the risk of Master etc. — All vessels within Port lie at the risk of their Masters or owners who shall be held responsible for any loss or damage that may arise in consequence of their faulty navigation or by reason of their breaking adrift from their anchors or moorings.

43. Masters etc. responsibility for acts of crew etc. — Masters and owners of vessels shall be held liable and responsible for any acts of the crew or of any person employed about or on board their vessels.

44. Trustees accept for no liability for delay etc. — The Board shall not be liable in respect of any delay to a vessels entering, remaining, in, or going out of Port or for detention of vessel or for detention or delay in the discharge of cargoes of vessels, or in the progress of the vessels to or from Port, or for dead freight or for delay in the loading and unloading of goods owing to a glut of vessels or goods or other circumstances beyond their control or a stoppage in the delivery of goods for any cause whatsoever.

45. Notice regarding the outbreak of fires on vessels to be given by Masters etc. — Any one observing a ship's fire shall immediately:

- (a) inform the ship's officer who shall be responsible for raising the alarm required under sub-regulation (2);
- (b) if the ship is alongside a Quay, treat the fire as on shore and raise the alarm required under sub-Regulation (2) and also inform the ship's officer who at once also raise the alarm required under sub-regulation.

(2) The following methods shall be used for raising an alarm.

(1) *Afloat by day*: Hoist International Flag 'DQ', sound continuous blasts on ship's Siren.

(2) *Afloat by night*: Sound siren as above; hoist two red lights one above and the other 6 (Six) feet apart. When ships are alongside the alarm is to be raised by telephone in addition to the above procedure.

(3) *Ashore by day or night*: Run to the nearest telephone, and ring up Port Exchange and on being connected, state clearly:

Fire in ship at ...
Fire ashore at ...

46. No persons shall be allowed to dive in the Port or to creep or sweep for anchors, cables, stores or for cargoes lost or supposed to be lost therein or for the purpose of undertaking underwater repairs

to vessels without the prior permission of the Deputy Conservator of the Port or an officer authorised by him.

IV. Regulations in respect of quays and sheds for the loading and unloading of vessels, and for the receipts, delivery & shipment of goods

47. Work in Port under the Traffic Manager.— The loading and unloading of vessels in Port shall be subject to the control of the Traffic Manager who may at his discretion prohibit the discharge of such goods in Port which in his opinion are likely to obstruct traffic or cause congestion or hinder the convenient use of the Port. Notwithstanding the provisions of regulation 91 the Traffic Manager may at his discretion, also remove to the other under his jurisdiction, any goods upon landing in the Port or soon thereafter, the storage of which, on Port premises, is likely to obstruct traffic or cause congestion. The apportionment of quay space to be occupied by each vessel shall similarly be determined by the Traffic Manager.

48. Vessels lying idle.— The Traffic Manager may, cause to be moved from her berth any vessel which shall have remained idle for a continuous period of 36 hours, should the space she occupies, whether next to the quay or not, be required.

49. Vessels working slowly.— A vessel in two consecutive weather working days loading less than 1500 tons of ore from quayside with ordinary facilities may be required to give up her berth. The vessel so displaced may be berthed at the next available berth, provided the vessel is ready and able to load at the rate prescribed under this regulation.

50. Vessels to be moored before working cargo.— Goods shall not be loaded into or unloaded from a vessel in Port until that vessel shall have been moored at her appointed berth.

51. Breaking bulk.— The Master or owner of a vessel before such Master or Owner shall proceed to «break bulk» shall deposit with the Traffic Manager a true copy of the General Manifest which will not be returned. The Master or owner of a vessel shall also lodge with the Traffic Manager a true copy of the Freight Manifest in which must be entered the details appearing in the General Manifest and also the weights of each consignment manifested not less than 6 clear working days before proceeding to «break bulk». When the consignment comprises individual packages of uneven weights, the weights of the packages shall be separately furnished. It shall be within the discretion of the Traffic Manager to reduce this period in the case of cargoes loaded into the vessel at the last Port of call of the vessel and also in the case of vessels which loaded cargoes at any of the Ports in the Union of India.

52. Production of vessel's papers cargo details etc.— Masters and owners of vessels shall, if and when called upon by the Traffic Manager, produce any book, voucher or other document relating to the landing of their vessel's cargo. In the case of import of bag goods, and before unloading is commenced, a true copy of the manifest showing the quantities under Owner's marks of the goods contained in each of the vessel, shall be deposited with the Traffic Manager.

53. Removal of iron, steel, machinery, packages, long and unwieldy heavy lifts from the Port.

Notwithstanding the provisions of regulation 47, consignments of iron, steel, machinery packages, long and unwieldy heavy lifts landed in the Port may be removed by the Traffic Manager at his discretion to any other premises in the possession of the Board at the cost of the consignees, owners or imports and without any previous notice to them if he considers it necessary to do so for the safe and convenient working of the Port.

54. Discharge and shipment of coal.— (1) The discharge and shipment of coal in bulk or otherwise from and into ships in Port, may be affected only with the written permission of the Traffic Manager who may refuse such permission in cases where he considers any loss or damage to property is likely to arise from coal dust or otherwise, caused by such discharge or shipment.

(2) Permission accorded to discharge and to ship coal, in bulk or otherwise, on and from shore, shall be subject to the importer or shipper or their accredited agent agreeing to reimburse the entire cost of clearing the wharf of the residue.

55. Loading and unloading of cargoes likely to foul Port wharves.— (1) Molasses and other goods of a nature likely to foul the Port wharves or transit sheds or to cause damage to other goods may only be discharged from a vessel in Port on the Port wharf with the permission of the Traffic Manager and subject to the owner or consignee of the goods undertaking to pay to the Board the expense incurred by them for clearing the wharf or transit shed.

(2) The decanting of the Port wharves from drums or other receptacles of vegetables, fish or other oils preparatory to their shipment in bulk shall not be permitted. Where shipments in bulk, of oils, are to be effected, the oils shall be transported to the Port in tank wagons or tank lorries and pumped directly therefrom into the vessel's tanks, or where the oil has been transported in tank barges, directly from barges into the vessel's tanks.

56. Removal from Port of any rotten etc. goods discharged from a vessel.— If any vessel shall discharge in Port any goods or substance in such a rotten, putrid, damaged or other condition as to be in the opinion of the Health Officer of the Port a rotten, putrid, damaged or other condition as to be nuisance or injurious or dangerous to health or if any goods or substance discharged from any vessel and lying in Port decay into such a rotten, putrid or other condition as to be a nuisance or injurious or dangerous to health in the opinion of the said Health Officer the Traffic Manager may require the owner thereof, or, if the owner should disclaim, deny or dispute the consignment or decline all responsibility, or if there be no owner, the Master, owner or agent of the vessel from which the goods or substance had been discharged, to forthwith cause the said goods or substance to be removed out of Port, as if such owner or such Master, owner, or agent, as the case may be, shall, on being so required, refuse or neglect, for the space of eighteen hours after notice, to remove such goods or substance, then such removal may be effected in such manner as the Traffic Manager may think fit and he may, if he thinks necessary, cause the said goods or substance to be destroyed, and the said owner or the said Master, owner, or agent, as the case may be, shall, within forty-eight hours after demand in writing, pay to the Board all the costs of

expenses attending or occasioned by such removal and destruction and of such cleaning, purifying or disinfecting the place of discharge or storage as may be considered reasonable and shall be further liable to the penalty prescribed under the Act.

57. **Transfer of vessels from their berths.**—The Traffic Manager, may himself, or through the Deputy Conservator, direct any vessel to move from one berth in Port to any other, provided that such other berth is vacant. A notice of 12 hours shall be given before a vessel is required to be shifted under this regulation. The Board shall not be responsible for any unavoidable delay which may be caused to a vessel in effecting a transfer under this regulation.

58. **Vessels overlapping or double banked.**—Vessels occupying quay-side berths shall give such facilities for loading and unloading cargo to and from vessel occupying outside berths as the Traffic Manager may consider reasonable, and the Board will not be responsible for any delay or demurrage that may occur, by reason of overlapping or double banking of vessel, to the overside, loading or unloading of such vessel.

59. **Issue of licences to stevedores.**—(1) The board shall, from year to year, issue licences to certain approved firms and individuals granting them permission to perform the work of stevedoring vessels in Port and no stevedore shall be allowed to work on board any vessel in Port except such licence.

(2) The Board may at any time cancel any licence issued under this regulation 59 or may suspend the same for such period as may specify for breach or any of the terms of the licence or for breach of any of the provisions of regulations 60 or 61. The licence may likewise be cancelled or suspended if, after the grant thereof, it is discovered that the application for the licence contained any misrepresentations or mis-statements of material facts or if the licensee has been adjudged insolvent or has gone into liquidation as the case may be or if the licensee or his workmen occasion any damage to Board's property or to any vessel or equipment thereof or if the licensee or his workmen cause any obstruction to any work in the Port. Provided that no such licence has been given a reasonable opportunity for showing cause why his licence should not be cancelled or suspended as the case may be.

Provided further that no such opportunity for showing cause shall be necessary when the licence is suspended pending an inquiry against the holder of the licence for contravention of any of the terms thereof or for contravention of any of these regulations or for doing anything for which the licence is liable under this regulation to be cancelled or suspended.

60. **Conditions for issue of licence to stevedores.**—

(1) Every stevedore shall be responsible for the due observance and performance by all staff and labour employed by him during the operation of loading and unloading of a vessel or work incidental thereto of all the relevant laws, rules and regulations for the time being in force.

(2) Every stevedore shall ensure that all loading and unloading operations, which shall confirm in all respects to the requirements prescribed by or under the Indian Dock Labourers Act 1934 are carried out with his own gear and he shall be solely responsible

for any accident or damage resulting from the use of defective gear.

(3) Every stevedore shall employ at least one experienced foreman and a tindal to superintend the loading or unloading of cargo or bunkering of coal, or fuel at each hatchway at which loading, unloading or bunkering is being carried on. The tindal shall supervise the slinging or unslinging of goods in the hold and whenever a vessel is loading cargo in the between-decks alone, he shall see that the between-deck hatches that are provided with cross beams and fore and aft beams have all such beams fixed in their proper places, and that the hatch covers are properly put on and effectively secured to prevent their displacement before commencing work; the foreman shall remain on deck and see that the crane chain is not taken out of the square of the hatchway, and that the hook does not catch coamings or fould any of the ships gear or damage any structure or erection ashore. The foreman shall give correct signals to the crane driver and shall superintend the taking of and putting on the beams and hatch covers and shall see that persons keep out of danger on deck and do not stand under any hoist. The foreman shall, when work is stopped for the day or night, search and satisfy himself that no one is remaining in the hold. The stevedore shall be solely responsible to the owners of the ship and to the Board in the event of any injury or damage being caused to any person or property in the course of the loading unloading, or bunkering operations.

(4) Without prejudice to the penalties to which he may be liable under any other provision of Law, any stevedore contravening or permitting a contravention of any of the provisions of sub-regulations (1) or (2) or (3) shall be liable to the penalty provided in Section 117 of the Major Port Trusts Act, 1963 for breach of these regulations and shall also be liable to have his licence cancelled in the manner provided in regulation 59.

61. **Discharge of a vessel's cargo to be under the superintendence of Master, etc or Stevedore their liabilities.**—Cargo shall not be discharged from any vessel in Port except under the directions and superintendence on board such vessel of the master or owner of the vessel or of a stevedore licensed by the Trustees to perform such work in Port. Such master, owner, or stevedore shall be personally liable in respect of any loss or damage arising from the careless or improper slinging of goods on board such vessel and shall in every instance observe the following precautions; namely:

- (i) that the sling is laid out flat without turns or kinks before any goods are loaded therein;
- (ii) that after each sling has been made up and with the first strain on heaving up, the running loop is well beaten home with a wooden bar in order that the grip may be made secure.

62. **Masters etc. and Stevedores working cargoes to provide proper lights on board.**—Masters and owners of vessels in Port and the Stevedores working the cargoes of such vessels shall be jointly and severally responsible for the proper provision of lights in all those parts of vessels, where work is being carried on in any way connected, directly or indirectly, with the use of the Trustees' cranes, quays, piers or other property. In default they shall jointly and severally be liable in respect of any loss or damage or life, limb or property that may result.

63. Making up of slings — cranes not to be used under vessel's coamings. — Slings of import goods shall be made up directly under the open hatchway of any vessel unloading in Port and under no circumstances whatever shall the Board's cranes be employed for the purpose of breaking out or removing goods from under the coamings.

64. Use of vessel winches. — Master and owners of vessels employing their own cranes or winches for the loading or unloading of goods shall do so at their own risk and responsibility in respect of any loss or damage to goods and property arising from any cause whatsoever.

65. Heavy lifts. — The Traffic Manager may prohibit the landing from any vessel of any single article or package of over five tonnes in weight, except by the Board's cranes provided for the purpose, should it, in his opinion, be necessary or advisable to do so.

66. Discharge of heavy lifts. — Single articles and packages of over five tonnes in weight shall not be discharged unless authorised to do so by the Traffic Manager in terms of conditions laid down by him in this behalf. The Board shall not be liable or responsible in respect of any loss or damage occurring to such articles or packages.

67. (a) Single articles and packages of one metric tonne and over in weight shall not be loaded on board any vessel in the Port or alongside the Quay walls unless the gross weight of each such article or package is marked upon it by the consignors and their agents in the manner set out below:

1. *Manner of Marking of Heavy Packages:*

- a) The gross weight on a heavy package shall be marked thereon in English and the regional language with a kind of paint which is not easily effaceable.
- b) Where a heavy package is of a light colour, black paint shall be used and where the package is of a dark colour, white or yellow paint shall be used.

2. *Gross Weight to be Marked in Metric Tons/Kilogrammes.*

Subject to the provisions of paragraph 6 below the gross weight of a heavy package shall be marked thereon in metric tons/kilogrammes.

3. *Place of Marking:*

The gross weight shall be marked on two sides of a heavy package so that in whatever position the package is placed the marking is easily visible.

4. *Size of Letters or Figures:*

Every letter or figure used to mark the gross weight of a heavy package shall be at least seven and half cms. in length and one half cm in breadth.

5. *Manner of Packing.*

1. The goods in heavy package shall be securely packed in a strong covering in such manner that there is no movement of the goods inside the package or any danger of the dis-integration of the goods or the covering.

2. The covering shall be of such material and nature as can stand the strain of the packages being handled during the course of loading or unloading so that the risk of any injury to persons who handle the package is minimised.

6. *Marking of approximate weight in certain circumstances.*

Where the weight of a heavy package is not marked or indicated, the anticipated minimum and maximum weight of the package, in metric tons/kilogrammes, shall be marked thereon in the manner herein before specified.

Provided that such anticipated maximum weight shall be so assessed that it does not fall below the actual weight of the package.

Consignors or shippers and their agents, will be held responsible for any breach of the provisions of this Regulation.

68. Discharge of dangerous, hazardous and fragile goods. — Kegs or drums of oils, paints, etc., bricks, earthenware pipes and similar goods, which require careful handling and as far as practicable, dangerous or hazardous cargo shall be discharged from a vessel in iron trays and not in wire or rope net slings; the Board shall not be liable or responsible in respect of any loss or damage to such goods arising or resulting from the non-observance of this provision.

69. Use of the Board's and other gear etc. — All gear, iron sheets, slings, tubs, and other articles provided by the Board shall, when no longer required, be returned to the Stores Depot in Port and shall not be left lying about the quays or roads. Masters and owners of vessels and stevedores shall be charged hiring fees on all such articles, from the date of delivery until return to the stores depot. All articles not provided by the Board shall be removed from the quays or road within two hours of the Deposit thereon; in default removed shall be effected by the Traffic Manager at the expense of the master or owner of the vessel or stevedore or other person to whom such gear belongs.

70. Supply of labour by the Board for working goods in Port. — (1) The Board shall provide the necessary labour for handling import general cargo and goods for transshipment in the Port under certain special circumstances, but will accept no responsibility for loss or damage arising in consequence of sufficient labour being unobtainable owing to strikes or riots, to the sudden outbreak of epidemic disease or to any other cause or causes beyond their control.

(2) The Board does not undertake to supply labour for handling exports and import bulk cargo. Owners of cargoes or the Agents may, however, be permitted by the Board to undertake the landing or transshipment of goods from and to vessels in the port in certain special circumstances.

(3) The labour shall be supplied only subject to such conditions as may be stipulated by the traffic Manager from time to time.

71. The receiving, sorting and stacking of import goods. — The Board shall undertake the receiving, sorting and stacking of all general import goods unloaded on the Port Quays, subject to the provisions

of these regulations and the following reservations:

- (i) Iron and steel bars, hoops, pipes and all similar materials and articles may be stacked according to marks, provided only that such goods shall not be discharged from the vessel in a mixed condition.
- (ii) Sugar, rice and other bagged goods may be sorted and stacked in Port only according to the owner's principal marks on the bags.
- (iii) The Traffic Manager may refuse to receive any goods discharged from a vessel which, for want of description or proper distinguishing marks, he considers would be difficult to deliver to proper owners.
- (iv) The Board reserves the right to refuse to deliver part only of a consignment of iron and steel bars, hoops, pipes etc., or of any similar materials or articles.

72. Responsibility for goods.—The Board shall not take charge of, or be responsible for, any goods discharged from any vessel not properly berthed according to Board's regulations.

73. Responsibility for goods.—The responsibility of the Board for the condition or safe custody of goods imported into or exported from Port shall not commence until such goods have been received into the charge of the Traffic Manager. The Board shall not be answerable or liable for deficiencies of merchandise produced by natural or unavoidable causes nor for damage or deficiencies caused to cargo such as motor vehicles castings and other fully fabricated goods arising out of their being unpacked or unprotected. The Board shall not be answerable or liable for any losses or deficiencies whatever, unless, ascertained, pointed out to and acknowledged by the Traffic Manager previous to the removal of the goods from Port.

74. Responsibility of Board for loss etc. of goods.—The Board shall not be in any way responsible for loss of or damage to goods of which it has taken charge, unless notice of such loss (or damage) shall have been given within five days of the date of the receipt given for the goods under sub-section (2) of section 42 of the Act.

75. Responsibility for Import goods.—Import goods unloaded from vessels in Port (except in cases of special arrangements where the landing and delivery of goods is undertaken by the owners of the vessels) shall be received charge of on the quay by the Traffic Manager who will undertake their proper stacking either on the quays or in the sheds and will hold such goods for delivery to the proper owner.

76. Damaged etc. goods landed by day.—Remarks shall be passed on all goods landed from any vessel in an apparently broken, chaffed or damaged conditions, and for all such goods the Board shall not be responsible or liable in any manner whatsoever.

77. Damaged etc. goods landed by night.—The Board shall not be liable in any manner in respect of goods of the undernoted classes if discharged at night. Shipowners and Agents desiring to discharge such goods at night shall be deemed to have been

permitted to do so entirely at their own risk and responsibility.

All goods covered by Regulation No. 71.

Cinematograph films.

Clocks and watches.

Currency Notes.

Electroplated ware.

Gold and silver ware.

Gold and silver leaf.

Gold and silver cloth, lace thread, braid, kinkob real or limitation.

Heavy lifts of over 3 tonnes.

Ivory (Elephant's tusks or Moyo's teeth).

Silk piece-goods.

Stamps and stamped papers.

Statues (Bronze or marble).

Unprotected castings.

Velvet and velveteen.

Wines and spirits.

78. Responsibility for amount of goods only received.—In respect of import goods the Board shall not be responsible for any articles or packages not acknowledged and signed for by the Traffic Manager in the receipts granted for such import goods to the master or owner of the vessel.

79. Issue of receipt.—The Traffic Manager shall furnish receipts to Masters and owners of vessels in respect of imported general goods landed in the Port. The receipt shall contain a «remark» column showing particulars of damaged or doubtful packages. The receipt shall be furnished not later than 24 hours following the date of landing. Such receipts shall be in the form set out in Appendix «A».

80. Shipment of goods.—Goods for shipment shall not be loaded on Board any vessel in the Port, unless:

- (a) the Customs export Shipping Bill and Shipping order and in the case of transshipment goods, the Tranship Permit, or Boat note and the shipping order, have been produced by the shipper.
- (b) the Shipper of the Goods delivers to the Export Superintendent, a copy of the Customs Export Shipping Bill or Tranship permit or Boat note as the case may be which shall be for the use of and be retained by the Traffic Manager; and
- (c) the Shipper of the goods produces the Export Application which shall be in the form set out in Appendix «D» duly endorsed in token of receipt of charges due thereunder together with a receipt for the other charges that may be due to the Trustees on the said goods.

The Traffic Manager may, however, ship the goods in anticipation of the payment of the Board's charges due thereon and referred to above but he shall in such a case retain the vessel's receipt for the goods as security for the payment of such charges.

81. Goods for shipment.—Goods for shipment shall be received in Port only under the orders of the Traffic Manager; they shall be stacked according to directions and shall under no circumstances be allowed to obstruct the traffic of the port.

82. Valuable goods.—Packages containing bullion, specie, precious stones, gold dust, jewellery or other

property of considerable value and appearing on the general manifest shall be delivered direct to owners by the masters or owners of vessels under their own responsibility, but only after intimation has been given to the Traffic Manager (through his officers in the transit shed) for examination and verification of the Customs and other documents. Under special circumstances it may be desired to place such goods in charge of the Traffic Manager, in which case they shall be separately noted in the general manifest and specially handed over to the Traffic Manager himself who will grant a distinct receipt and will charge a special rate for storage.

83. Responsibility for lost or damaged goods. — The Board shall not be responsible or liable in any way for loss of damage to goods unless notice of loss or of the damage alleged has been received by it prior to delivery.

84. Detention of goods for freight etc. — Goods landed from a vessel in Port and given into the custody of the Board shall be detained for freight or other charges payable to the owner of the vessel on receipt of due notice in writing from the master or owner of the vessel or his agent; such goods shall be retained either in the warehouses or sheds of the Board at the risk and expense of the owners of the said goods until the lien shall have been discharged or the amount claimed for freight shall have been deposited with the Board. *Goods delivered from a vessel overside into boats or floated in Port for removal outside the Port shall not be detained.*

85. Delivery of goods, bill of lading and delivery orders. — Goods landed in Port and received charge of by the Traffic Manager shall be delivered on production of an order authorising delivery from the master or owner of the vessel discharging such goods, or his agent. Any alterations, or discrepancies appearing in the order authorising delivery shall be certified by the master or owner of the vessel or his agent before delivery is taken.

86. Delivery of goods — Payment of charges. — Owners and/or their representatives applying for delivery of goods shall fill in the Import application in duplicate which shall be in the form set out in Appendix «C» except the column in which the landing fee and other charges payable are to be entered and will sign the same. The import application thus filled out accompanied by the Customs Import bill of Entry shall be presented to the Traffic Manager's Office where the charges shall be assessed received and the Import application endorsed in token of receipt of the charges due thereunder. The Import application thus endorsed accompanied by the Bill of Lading and the order from the Master, owner or Agents of the vessel authorising delivery, shall then be present at the shed when an officer of the Board shall examine the documents and on being satisfied that they are in order and on being furnished with an acknowledgement for the goods, shall grant delivery and authorise the passing the said goods out of the Port.

87. Delivery of goods overside. — In every case where delivery of goods is given over a vessel's side into boats, the master or owner shall himself take such steps as he may think necessary to secure payment of any outstanding amounts that may be due in respect of freight or other charges.

88. Liability for opened packages. — Permission granted by the Collector of Customs to owners or their representatives, at their request, to open packages in Port, shall be countersigned by the Traffic Manager. Packages so opened shall lie at the risk of the owner thereof.

89. Packages in Port appraisement, or by order of a competent officer of Customs shall lie at the risk of the owner thereof.

90. Delivery of goods removal from Port. — (1) Goods taken delivery of, but not removed from the Port, shall lie at the risk of the owner thereof.

(2) Goods shall not be removed from the Port, Quays roads, or sheds unless covered by a Customs Import Bill of Entry, or Export shipping Bill and upon production of the Board's receipt for landing fees/or shipping fees viz., the Import or Export applications duly endorsed, as the case may be, and receipt for other charges that may be due upon the goods.

91. Removal of goods to uncleared warehouses. — The Traffic Manager may order the removal of all uncleared goods from the Port sheds to the uncleared goods warehouse immediately after the expiry of the free days allowed under the Board's scale of rates and without any previous notice whatsoever to the owner of the goods.

92. Arms. — The master, owner or agent of every vessel entering port and having on board as import cargo, for discharge packages containing arms and ammunition, shall as soon as possible after arrival in Port furnish to the Traffic Manager a complete list of all such packages. All packages containing arms and ammunition shall be sealed by the master of the vessel before discharge, and, on discharge, shall be handed over by the master into the direct charge of the Shed Foreman, who shall grant a receipt therefor in the prescribed form and shall immediately lock up the packages in the transit shed pinjra. Packages containing arms and ammunition shall under no circumstances be discharged from a vessel at night. The Board shall not be responsible or liable in any way in respect of any packages containing arms and ammunition discharged from a vessel otherwise than in strict conformity with this regulation. The external condition of all packages containing arms and ammunition shall be carefully examined before a receipt is given therefor and any matters which appear to call for mention shall be entered in the remark column thereof. The Board exempt from this regulation any vessel or line of vessels, for such period as the Board may think fit.

Note: Packages containing arms and ammunition belonging to the Central or any Provincial Government shall not be required to be sealed before discharge.

93. Explosive and hazardous goods. — Explosives and other hazardous goods shall be discharged or loaded from and to vessel in accordance with the detailed regulations which may be framed by the Board from time to time.

94. Carbide or calcium and calcium phosphide. — (i) The master or owner of a vessel carrying a cargo of carbide of calcium or calcium phosphide shall, on

entering, port, immediately give notice to the Traffic Manager of the nature and quantity of the respective cargoes.

(ii) The hold of a vessel carrying Carbide of Calcium and Calcium phosphide shall be efficiently ventilated from the time of entering Port until all Carbide of Calcium and Calcium Phosphide has been discharged or until the vessel has left Port.

(iii) Carbide of Calcium and Calcium Phosphide shall only be brought into Port in hermetically closed metal drums in strong wooden crates containing each not more than 224 lbs and of such strength and construction as not be liable to be broken or to become defective or insecure in conveyance otherwise than by gross negligence or extraordinary accident.

(iv) A drum containing Carbide of Calcium and Calcium Phosphide shall not be opened within the limits of the jurisdiction of the Board except in a licensed place of storage.

(v) Every reasonable precaution shall be taken to prevent the contact of water or moisture with Carbide of Calcium and Calcium Phosphide and where such contact may have occurred, to prevent the gas evolved from being ignited.

(vi) Every drum containing Carbide of Calcium or Calcium Phosphide shall be labelled as such and the label shall bear in conspicuous characters the name and address of the owner or his representative as well as the following:

- (a) «Carbide of Calcium» or «Calcium Phosphide» as the case may be;
- (b) «Dangerous if not kept dry»; and
- (c) «The contents of this package are liable, if brought into contact with moisture to give off a highly inflammable gas».

The names and addresses of the consignees or owners shall be marked on drums containing Carbide of Calcium or Calcium Phosphide, if they are to be stored in the Calcium Carbide Warehouse.

(vii) Vessels carrying consignments of Carbide of Calcium or Calcium Phosphide shall discharge the same within 48 hours of entering Port. These goods shall be landed on the wharf and immediately removed out of Port on delivery. Carbide of Calcium and Calcium Phosphide shall under no circumstances be allowed to remain or to be stored in any part of the Port.

(viii) A vessel having Carbide of Calcium or Calcium Phosphide on board shall, while in Port, have on board a competent watchman.

(ix) No carbide of Calcium or Calcium Phosphide shall be landed between the hours of sunset and sunrise.

(x) The owner or agent of a consignment of Carbide of Calcium or Calcium Phosphide will be liable to make good to the Board the amount of any expenses incurred by them in taking precautions to prevent the ignition of gas given off by Carbide of Calcium or by Calcium Phosphide as also all expenses incurred for meeting and fighting any such ignition of gas. Such owner or agent will also be liable to make good to the Board the amount of any claims for loss of life or injury caused to persons employed in the work of handling Carbide of Calcium or Calcium Phosphide and will be liable to compensate the Board for any damage to their property or for any claims in respect of damage to the property of other persons arising as a result of ignition of gas given off by such consignments.

95. Combustibles etc. on board a vessel to be securely locked. — Combustibles and explosives for signalling purposes only shall be allowed on board any vessel in port and shall before such vessel enters and while she remains in Port, be secured under lock and key in suitable cases or magazines in a safe place set apart for such purpose and no person shall have access thereto unless in the presence of an Officer of the vessel whose duty it shall be to see such place is securely relocked, the key being kept in charge of the master or owner of the vessel.

96. Acids etc. matches. — No packages, containing acids, aqua fortis, oil of vitriol, lucifer matches, fuses for shells and friction tubes for the services of the Government of India, manufactured fireworks, or other goods of a dangerous nature permitted to be brought into the Port, shall be placed on any quay in Port unless distinctly marked as such on the outside of each package; and no such package shall, under any circumstances, be allowed inside the transit sheds. Packages containing lucifer matches, fuses for shells and friction tubes for the services of the Government of India, complying with the proviso under regulation 92 or such manufactured fireworks as defined in Division 2 of Class No. 7 Schedule I of the Explosives Rules, 1940, as are specified in Appendix «D» if allowed to remain in Port, must be watched continuously by or at the expense of the owners of the goods or the master or owner of the vessel.

Packages containing safety cartridges as defined in the Explosives Rules, 1940, safety fuses for blasting, railway fog-signals and percussion caps shall immediately on landing be stored inside the transit shed pinjra for safe custody pending delivery. Consignments which are not taken delivery of within the free days prescribed in the Port Scale of Rates shall forthwith be removed to the Hazardous Goods warehouse at the expense of the owners of the goods.

97. Discharge of Ethyl (Tetra Ethyle lead). — Ethyle Fluid may be landed at the Port with the previous consent in writing of the Traffic Manager subject to the following conditions:

(1) that Ethyl Fluid imported into the Port is packed in specially constructed steel drums of great strength. The drums should be sealed with an inner and outer bung. Rolling drums shall be fitted as an added precaution for the shell during handling. In addition drums shall be distinctly marked to show that they contain Ethyl Fluid.

(2) that owners or consignees of Ethyl Fluid make previous arrangements with the collector of Customs and the Traffic Manager for the immediate removal from the Board's premises of the entire consignment:

(3) that Ethyl Fluid is only landed:

- (a) between 8.00 a. m. and 5.00 p. m. at such berths in the Port as the Traffic Manager may direct, and
- (b) after all disembarking passengers have landed from the vessel.

(4) that no discharge of Ethyl Fluid is begun until:

(i) the following documents have been presented to the Traffic Manager:—

- (a) Bill of Lading, if any, duly endorsed by the consignee;

- (b) Delivery order, if any, from the Steamer Agents;
- (c) Duty Paid Customs Bill of Entry (passed in full out of Customs charge);
- (d) Detailed Invoices covering the consignment or consignments;
- (e) Import applications or receipts issued by the Port Cash Offices indicating that the Board's charges have been paid in full or a sufficient deposit to cover these charges has been lodged.

(ii) the necessary road and/or rail vehicles by which delivery is to be effected from the Port area in position for the loading of the consignment or consignments therein;

(iii) The Traffic Manager has satisfied himself that the equipment and material necessary for dealing with any leakage that may occur during or after discharge, are available for immediate use, the requisite protective equipment and material as under being supplied by the owner or consignees:—

- Two sets of:
- (i) Rubber Gloves;
 - (ii) Rubber boots;
 - (iii) Rubber apron or rollskin suit;
 - (iv) Respirators (see note).

Note: A suitable respirator is the canister type containing a minimum of 500 c. c. of activated charcoal.

5) that when discharge has been permitted every consignment of Ethyl Fluid is inspected on board the vessel by the owner, the consignees, or their representatives, competent to do so and an officer deputed by the Traffic Manager. No Ethyl Fluid drums showing any signs of leakage shall be landed until suitably repaired or placed in a larger receptacle or container offering sufficient protection from leakage:—

Note: In the event of a leakage, measures set out hereunder in sub-clause (11) must be followed.

- 6) a) that discharge of Ethyl Fluid is supervised by a responsible, competent and fully informed representative of the owner or consignees of the consignments having adequate technical knowledge of the commodity;
- b) that labour and personnel handling and supervising the handling of drums should be equipped with heavy gloves of canvas or leather;

7) that the owners or consignees shall provide labour for handling of drums containing Ethyl Fluid to be discharged on the quay for their immediate removal therefrom direct to the road or rail vehicles and the subsequent loading of the drums into the said vehicles for immediate removal consignment from the Trustees' premises;

8) that Ethyl Fluid drums shall be handled singly, and discharged singly in wire net slings by the Trustees' Cranes and removed from the slings by the consignees' labour direct to road or rail vehicles placed in position for their immediate delivery.

Note: Barrel hooks are on no account to be used in discharge.

9) that after any consignment of Ethyl Fluid has passed over the Board's Port, wharves, jetties, open

storage areas or roads, the owners or consignees' representative shall inspect the places over which the consignment has been carried and shall clean any points where leakage has taken place or suspected to have taken place. This inspection of cleaning shall be carried out in the presence of an officer deputed by the Traffic Manager for the purpose and the Owner's and the consignees representative shall thereafter issue a certificate that the Board's premises are free from contamination and fit for general use:

10) that no Ethyl Fluid drums is in any circumstances stored in any of the Board's transit sheds or warehouses;

11) in the event of leakage measures as set out below must be followed:—

Note: Ethyl Fluid is highly coloured by means of a dye (usually yellow, red or blue) so that leakage is immediately discernible. Furthermore Ethyl Fluid has distinctive and rather sweet smell.

(a) If Ethyl Fluid comes into contact with the skin, the part or parts affected should be washed clean at once with a solvent such as kerosene, followed by soap and water;

(b) Clothing that becomes contaminated by Ethyl Fluid should be removed immediately and cleaned by repeated rinsing in a non-inflammable dry cleaning fluid;

(c) Shoes and leather covered articles that become contaminated by Ethyl Fluid should be discarded and destroyed;

(d) If Ethyl Fluid can be smelled it is being breathed. Men should be directed away from any place where it can be smelled;

(e) men assigned to deal with a leakage of Ethyl Fluid must wear the protective equipment, as prescribed in sub-clause (4) (iii) above;

(f) the area in which a leakage of Ethyl Fluid has occurred (including the outside of a drum) should be treated as follows:

(i) Flush with kerosene or some other light oil solvent, followed by water. If the surface permits, wash thoroughly with soap working up as much as lather as possible, and again flush with water;

Note: If it is possible to obtain quickly a supply of common bleaching lime (CaO Cl2) the area should first be treated generously with a mixture of bleaching lime and water in the form of a thin slurry (Never use the dry powder), alternatively a 5 per cent solution of sulphuryl chloride (SO₂ Cl₃) in kerosene may be used.

(ii) If contamination of an absorbent material has taken place, such as wooden flooring dunnage, or other packing material, then such material must after treatment as above be removed or burned.

98. Unpressed cotton, aloe fibre, unpressed hemp cotton fly, oily waste, American cotton, etc. — Packages of unpressed cotton, known as buffaloes docras, and bundles, American cotton, hemp and jute, except in full pressed bales, Indian aloe rhean coir and other fibres, flax, waste (clean and oily, cotton fly, grasses, of all kinds, coal-tar pitch and cinema and camera films except those having a cellulose, acetate or other safety base, exposed or unexposed, packed in wooden or light metal cases, and scrap or waste films of cellulose, acetate or other safety base,

packed in wooden cases or iron or steel drums. And if any such package is brought into Port for shipment it shall not be placed on any Port quay, wharf, or road but shall forthwith be shipped. The Traffic Manager, may by arrangement, allow unpressed cotton, etc., and other hazardous goods to be stored on the quays or other open spaces, at the risk and responsibility of the owner, and the Board will not be responsible or liable for any damage sustained from rain or from any whatsoever. Unpressed cotton, etc., and other hazardous goods placed in Port shall be removed by the owners or shippers, if called upon on six hours' notice being given by the Traffic Manager, and if not so removed, the Traffic Manager may remove such goods at the cost of the said owner or shipper. Packages of American cotton cannot be received into any of the Port sheds; but will be landed on the quay and if not cleared within 24 hours will be carted at the expense of the owner and stored in the special shed erected for the purpose.

99. Gases and liquids under pressure. — Packages consisting of cylinders containing gases, liquids or dissolved acetylene under the pressure may be handled in the Port quays subject to the following conditions:

- (i) (a) Cylinders containing gases and liquids under pressure shall comply in every respect with the provisions of the Gas cylinder Rules, 1940, or under such conditions as have been specially permitted by an order in writing by the Chief Inspector of Explosives in India under Rule 17 of the said rules.
- (b) Cylinders containing dissolved acetylene shall comply with instructions issued in this behalf.

Explanation: Empty dissolved acetylene cylinders normally contain a small amount of acetylene dissolved in acetone and absorbed in porous moss. They shall be treated as full for purpose of this Rule.

(ii) Discharge or loading at night of cylinders containing gases, liquids or dissolved acetylene under pressure shall not be permitted.

(iii) Delivery from ship's side shall be effected by the consignees immediately as far as possible and in any case within 24 hours, failing which the Traffic Manager shall arrange for their immediate removal of the Hazardous Goods warehouse, the cost of which shall be recovered from the consignees.

(iv) After being landed and until removed from Port limits or placed in the Hazardous Goods warehouse, these cylinders shall be adequately protected from the sun's rays by a suitable covering.

100. Packages consisting of cylinders containing gases liquids or dissolved acetylene under pressure brought into Port for shipment, shall not be placed on any Port Quay, wharf or road but shall forthwith be shipped.

a) Goods which are notified from time to time as «hazardous goods» by the Conservator of the Port, those declared as «Poisons» in the notification of the Ministry of Home Affairs No. 28/2/58-P-IV dated the 8th August 1958, the items mentioned in the list attached and the commodities mentioned in the U. K. Ministry of Transport and civil Aviation Report entitled «The Carriage of Dangerous Goods and Explosives in ships» with the exception of those goods

for the landing or shipping of which specific rules have been laid down by the Port, shall be landed or shipped only under a permit issued by the Conservator of the Port or any other officer of the Port duly authorized by him in this behalf, on an application being made, in the case of landing, by the Agents before the arrival of the vessel, and in the case of shipment, by exporters individually before the goods are brought forward for shipment.

b) The goods referred to in the above sub-regulation shall be carefully packed, marked and labelled in conformity with the directions laid down in the U. K. Ministry of Transport and Civil Aviation Report referred to in that sub-regulation. The labels shall contain the directions for the handling as also a warning or caution statement, which are necessary and if complied with, are adequate for the protection of any Personnel using or handling it.

«Label» means the written, printed, or graphic matter on the immediate or remote container of the goods or wrapper of retail package, if any of such goods.

(c) Packages consisting of the goods referred to in regulation No. 100(b) shall not be stored at the wharves except as expressly permitted in writing by the Traffic Manager. Such goods shall not be discharged into lighters except as expressly permitted in writing by the Deputy Conservator and if landed at private jetties, the person or persons responsible for the landing of such goods shall see to it that they are landed, handled and stored with due regard to the nature of the hazard involved and to the provisions of the relevant Acts or Rules in force regarding the handling, storage etc., of such goods.

V. Regulations relating to the discharge and shipment of fuel oil and non-dangerous petroleum in port

101. Discharge of fuel oil in bulk. — (1) Vessels carrying petroleum in bulk for discharge as fuel oil and permitted to enter the port for the purpose shall occupy such Port quays only as are specially sanctioned by the Board; and the following rules as to the mode of discharge and the precautions to be adopted by such vessels shall be strictly observed, and the masters of the vessels shall be held responsible for such observance:

- (a) The discharge of fuel oil in bulk as cargo or carried as fuel oil for the use of a vessel will be allowed, provided the owners or agents of the said vessel previously have furnished the Board with a general guarantee signed by them that the flash point of all fuel oil used for bunkering ships belonging to them is in all cases at or above 150 degrees Fahrenheit under the terms of their bunkering contract with the oil suppliers, or failing such general guarantee, provided that the master or agents for the vessel prior to the vessel entering port, produces a certificate in the form subjoined to the effect that the petroleum so carried has its flashing point at or above 150 degrees Fahrenheit, unless the vessel also carries, or at the time of her last arrival carried, or since that time has carried other petroleum in bulk without having been properly cleansed and rendered entirely clear of petroleum and vapour of petroleum.

FORM OF CERTIFICATE

- (1) Quantity of fuel oil in vessel.
- (2) Description of oil.
- (3) Specific gravity of oil.
- (4) Number of samples taken.
- (5) Flash point by approved test.
- (6) Signature of officer making above test.
- (7) Visa of Government officer or Consul or Signature of the Company's Chief resident chemist and the counter-signature of the General Manager of the local works.

- (b) During all such time as any bulk oil vessel is in port, whether pumping is in progress or not, the master or first mate of such vessel shall be present on board and it shall be incumbent upon him to see that these regulations are complied with, and that every necessary and proper precaution for safety is taken.
- (c) No fire or lights shall be allowed on any bulk oil vessel, in the port or on the adjoining quay, except the galley and engine room fires, electric light and the permanent lamps used for illuminating the port.
- (d) No smoking shall be allowed on board any bulk oil vessels.
- (e) The lids of the tanks shall not be raised more than is absolutely necessary for the working of the pumps during discharge and must be kept closed at all other times.
- (f) No fuel oil or water mingled with fuel oil shall be pumped or allowed to run out of the vessel into the port.
- (g) The appliances used for transferring fuel oil from the vessel to the pipe line or to tank barges or vice versa shall be in all respects suitable for the purpose and in good condition, and all proper precautions shall be taken to prevent the leakage or discharge of any fuel oil into port before during or after the transfer.
- (h) Every bulk oil vessel while in the Port shall have main engines available so as to be ready to move immediately if necessary; and shall move immediately upon an order to that effect from any officer of the Board.
- (i) Every bulk oil vessel shall leave the ports immediately on completion of discharge.
- (j) Pumping out fuel oil will be allowed at night on payment of the usual port charges.

(2): Rules (f) and (g) above shall also apply to vessels taking fuel oil into their bunkers, either through the oil pipe line or from barges or tank carts in the port.

102. Discharge and shipment of fuel oil (Packed).
— Subject to the conditions hereunder specified vessels will be allowed to discharge and load in Port, at such special berths as may from time to time be named by the Traffic Manager for the purpose, petroleum fuel oil having its flashing point at or above 150 degrees Fahrenheit and contained in casks, drums, and tank vehicles; but no vessel shall be allowed to enter the Port if she has on board more than 50,000 gallons of petroleum fuel oil, contained in casks, drums, tins and tank vehicles.

(a) A certificate in the same form as that provided for in Regulation 101-a, shall in every case,

be produced before a vessel is allowed to enter Port under this regulation or before any petroleum fuel oil is brought into port for shipment, to the effect that the petroleum fuel oil to be landed or shipped, as the case may be, has its flashing point at or above 150 degrees Fahrenheit, and arrangements shall be made in advance with the Traffic Manager for the landing or shipment of any such petroleum fuel oil. Petroleum fuel oil having its flashing point below 150 degrees Fahrenheit shall in no case be brought into or shipped from the Port.

(b) All petroleum fuel oil landed in Port shall be removed forthwith by the importer, as landed, outside the port. In the alternative, petroleum fuel oil shall not be allowed to be landed but shall be discharged overside into lighters for removal out of port, at the expense of the master, owner or agent of the vessel.

(c) No petroleum fuel oil shall be brought into the port for shipment unless the exporter produces a certificate from the vessel on which it is to be loaded, certifying readiness to receive the same; and all petroleum fuel oil brought into the port for shipment shall forthwith be put on board the vessel on which the same is to be loaded.

(d) The importer or exporter, as the case may be shall, in every case, provide that a cooper and a solderer are in attendance throughout the time while any petroleum fuel oil is being landed or shipped in the port, and any leaky, drums, tins or tank vehicles shall be forthwith repaired or replaced.

102A. Bunkering petroleum fuel oil.—Bunkering of vessels with petroleum fuel oil in the port, barges and tank vehicles may be permitted provided that:

- (a) During all such time as any vessel is receiving fuel oil into her bunkers, the master or first mate of such vessel is present on board and he shall see that the provisions of these regulations are complied with and that all reasonable precautions for safety are observed;
- (b) a ship's officer shall be on watch and an attendant of the oil Company supplying the bunkers shall be stationed alongside the flexible connecting pipe while bunkering is in progress;
- (c) no smoking, cooking, naked lights, or forges shall be allowed on the vessel's decks while bunkering is in progress;
- (d) a suitable gutter or other contrivance shall be placed under the connecting service pipe to prevent any oil from dripping on the wharf or into the port basin;
- (e) masters and owners of vessels receiving fuel oil and suppliers of fuel oil for bunkering shall jointly and severally be held liable for any damage whatsoever that shall have been caused to cargo or property belonging to or in charge of the Board by any leakage of fuel oil, due to or arising from negligence or any defect in or failure of apparatus or appliances the property of the vessels or the suppliers;
- (f) no cargo other than steel plates, iron rails, and similar goods unaffected by oil, shall be allowed on the wharf within 50 feet of the oil stand pipes, and shed doors immediately behind them shall be kept closed while bunkering is in progress;

- (g) before bunkering commences, the attendant shall see that the telephone connection to the oil company's Depot is in working order;
- (h) no cargo other than steel plates, iron rails, and similar goods unaffected by oil shall be allowed on the wharf within 50 feet of tank carts, and shed doors immediately behind them shall be kept closed while bunkering is in progress;
- (i) the use of tank carts shall not be permitted except in cases of emergency and after obtaining special sanction from the Traffic Manager.

VI. Miscellaneous

103. Quays etc. and Port are to be under the authority of the Traffic Manager. — (1) The quays, sheds, gates and the land within the Port boundaries shall be in the charge of the Traffic Manager who shall direct and manage all operations connected with the landing and shipping of goods, and with their storage in the sheds and in the open; he shall have proper custody of all goods lying in Port and take whatever steps he may consider necessary for the proper maintenance of order within Port.

(2) No person shall enter any Port area without a permit issued to him by or under the authority of the Traffic Manager; such permit shall on demand by a Police Officer or any Port Trust Officer duly empowered in that behalf be produced for inspection. No person shall allow any permit issued to him as aforesaid to be used by any other person. Any permit issued to any person and allowed by him to be used by another shall be liable to be confiscated and cancelled.

104. Working hours. — (1) Landing and shipment of goods in the port from and to vessels shall be permitted during the following hours:

First shift ... 7.30 a.m. to 04.00 p.m.
 Second shift ... 3.30 p.m. to midnight.
 Third shift ... 11.30 p.m. to 07.30 a.m.

(2) In special circumstances work may be permitted during the recess hours on application to the Traffic Manager. The delivery of import cargo and admittance of export cargo shall, however, be normally permitted from 7.30 a.m. to 04.00 p.m. In special circumstances, the Traffic Manager shall accept admittances of export cargo or delivery of import cargo during the hours other than those specified above.

105. Night and holiday work. — «Applications for work at night or on Sundays or on holidays shall be made to the Traffic Manager, who on production of the necessary permission from the Customs department shall make necessary arrangement for the proper conduct thereof. Work on these days and also at nights shall be compulsory. The Traffic Manager may, however, in special circumstances exempt certain vessels working during nights, holidays or Sundays. Work on these days and at night shall be subject to payment of special charges prescribed for the purpose.

Explanation: The holidays for the purpose of this regulation shall be notified by the Board from time to time.

106. Entrance to the Port. — The entrance gates and wicket gates of the Port shall be kept open during the working hours appointed by the Board and ingress and egress by these gates and wickets at unauthorised hours shall be allowed only to persons holding special passes issued for this purpose by the Traffic Manager.

107. Refund of charges. — (a) Claims for refund of any toll, due, rent, rate or charge levied under Section 48, 49 or 50 of the Major Port Trust Act, 1963, or any other similar section of the Act for the time being in force must be preferred in writing within 6 months either from the date when such toll, due, rent, rate or charge shall have been paid or from the date when credit therefore shall have been given, otherwise no such claim shall be entertained, unless it arise from an error on the part of an employee of the Board and no such claim shall be accepted without the express sanction of the Board.

(b) No claim for refund of a sum less than Rs. 2/- whether made separately or in conjunction with other claim, shall in any circumstances be entertained unless such claim arises from an error on the part of an employee of the Board.

108. Hawking in the Port area. — Hawking within the Port area or on board any vessel within Port is strictly prohibited.

109. Removal of trucks and hand-barrows out of Port. — Trucks and hand-barrows loaded with goods without and not immediately taken out of Port shall be liable to removal by the Traffic Manager at the risk and expense of the owners of the goods. Trucks and hand-barrows belonging to merchants and others and left lying about the Port shall be liable to removal and confiscation by the Traffic Manager.

110. Destruction of or damage to any of the Board's property. — Any person who shall cut, deface, or injure, any mooring, rope, chain, life buoy, life line or life saving appliance or any buoy-rope or cable belonging to any anchor within the Port channel or entrance or in Port shall without prejudice to any penalty to which he may be liable under the Act, be required to pay the amount of damage repair and recovery.

111. Obstructing Officer. — No person shall molest, assault, resist, hinder, obstruct, impede, or interrupt, or offer or attempt to molest assault, resist, hinder, obstruct, impede, or interrupt any employee of the Board in the execution of his duty, or disobey his lawful orders, or use abusive or offensive language or aid or incite others to do so.

112. Plying of vehicles. — Motor lorries or other vehicles for the conveyance of goods shall not be driven along or upon any of the roads, wharves or quays within the Port or be admitted into or allowed in the Port unless a licence in that behalf shall have been procured from the Traffic Manager permitting such lorry or vehicle to do so and except in accordance with the following conditions:

- (i) Such motor vehicles shall conform in all respects to provisions of the Motor Vehicle Act, 1939, and the rules made thereunder.
- (ii) Such motor vehicles shall not be left unattended.

- (iii) Such motor vehicles shall ordinarily traverse the recognised roads in the Port; but may be permitted on the wharves, in transit sheds and upon open storage, spaces for the purpose of being loaded and unloaded, subject to control by Port Trust and Police Officers.
- (iv) Such motor lorries or vehicles, when entering or leaving the Port, shall stop at the Port gates until permission to pass has been obtained from the Port Trust and/or Customs officers on duty at the gate and the driver thereof shall on demand produce for inspection the licence permitting the lorry or vehicle entry into the Port.
- (v) No such motor vehicles shall be allowed to remain within the Port longer than shall, in the opinion of the Traffic Manager, be necessary for the purpose of loading or unloading goods. Loitering and plying for hire is prohibited.
- (vi) No such motor vehicle shall fill their tanks with petrol or other fuel within the Port without a special permit from the Traffic Manager.
- (vii) No such motor vehicles shall be driven along or upon any road within the Port at a speed exceeding 16 k. m. per hour and upon wharves or quays, at a speed exceeding 8 km. per hour.
- (viii) The licence granted to any vehicle under this Regulation may be revoked by the Traffic Manager at any time in his absolute discretion without being required to assign any reason whatsoever and no refund of the proportional fees with respect to the unexpired portion of the period of the licence shall be granted.

113. Motor vehicles for the conveyance of persons and their personal luggage (if any) shall not be driven along or upon any of the roads, wharves or quays within the Port, except in accordance with the following conditions:

- (i) Such motor vehicles shall conform in all respects to the provisions of the Motor Vehicles Act, 1939, and the rules made thereunder.
- (ii) On ordinary working days, during working hours prescribed in Regulation No. 104(1), such motor vehicles shall be permitted to use only the gate notified by the Trustees from time to time.
- (iii) On holidays notified under regulation 105 and during non-working hours and at night between sunset and sunrise, such motor vehicles may be permitted to use the other gates by the Traffic Manager.
- (iv) Such motor vehicles, are adopted to carry more than nine persons including the driver, shall be allowed into the Port only with the special permission of the Traffic Manager.
- (v) Such motor vehicles will not be permitted upon the wharves fronting the Port Transit sheds or be permitted to enter any warehouse, shed or other building appertaining to the port.

- (vi) Such motor vehicles, shall not be left unattended except in such parking places as may from time to time be notified by the Traffic Manager. Loitering and plying for hire is prohibited.
- (vii) Such motor vehicles, when entering or leaving the Port, shall stop at the Port gates until permission to pass has been obtained from the Port Trust or Customs officers on duty at the gate.
- (viii) No such motor vehicles shall be allowed to remain within the Port longer than shall, in the opinion of the Traffic Manager, be necessary for the purpose of conveying passengers to or from the Port.
- (ix) No such motor vehicles shall fill their tanks with petrol or other fuel within the Port without a special permit from the Traffic Manager.
- (x) No such motor vehicles shall be driven along or upon any roads within the Port at speeds exceeding 20 Km. per hour and upon wharves or quays, at speeds exceeding eight K.M. per hour.
- (xi) Any such motor vehicle admitted into or allowed in the Port between sunset and sunrise shall be so admitted or allowed at the sole risk and responsibility of the owners thereof and the Board shall not be responsible for any damage to any motor vehicles or for any damage, injury, or loss to the driver or to any passenger or passengers therein howsoever the same may be caused or sustained or may arise; and every occupant of any such motor vehicle admitted into or allowed in the Port between sunset and sunrise, whether driver or passenger or any other person, must sign his name in a book kept for the purpose at the respective Gate Houses of the Main Gates aforesaid agreeing that he is admitted into the Port at his own risk.

114. Temporary enclosures may be erected on the quays etc. — (1) An enclosure may be made upon any wharf, pier, quay or landing place within the Port where passengers by sea, or troops or horses or other animals embark or land for the purpose of preventing the public from having access to the space used for the embarkation or landing of the passengers, troops or horses or other animals.

(2) The Traffic Manager shall subject to the directions of the Board, affix to such enclosure a notice which may be either temporary or permanent prohibiting on each occasion any persons other than passengers or troops or their servants or persons employed in the embarkation of landing or horses or other animals as the case may be or official or licensed porters or employees of the Trustees from entering or remaining within the enclosures when passengers or troops or horses or other animals are embarking or landing.

(3) Certain sites shall, from time to time be set apart as occasion may require, by order of the Traffic Manager at his discretion, to enable boatmen or coolies to obtain their food, and all persons bringing such good shall be restricted to these sites and the pathways leading thereto, and therefrom which shall be indicated by notice-boards.

115. Non-weather working day. — An application for any day to be declared a Non-Weather Working Day, shall be addressed to the Deputy Conservator, whose decision as to whether the day shall be declared, wholly or part Non-Weather Working, would be final.

With respect to fire lights

116. Smoking etc. — Smoking and the use of any unprotected fire or light in any shed or warehouse within port is strictly prohibited and no person shall smoke or ignite lucifer matches or other inflammable articles on any pier or quay or on Board any vessel within Port, except in such places as may be allotted for the purpose.

117. Use of fires on board vessels. — Fires of coal, charcoal, or coke may be used on board vessels in Port between 5.30 a.m. (S.T.) and 9.30 (S.T.) subject to prohibition, on any abuse by the Deputy Conservator. Fires for donkey-engines, steam-winchs, and portable forges are also permitted during working hours and for ship's engine for a reasonable period before a vessel leaves and after a vessel is berthed in the Port. The lighting of fires is entirely prohibited on board any boat barge or country craft carrying inflammable goods and explosives, the admission of which into Port is governed by the provisions of Regulation Nos. 93, 94 and 95.

118. Use of lights on board vessels. — All lights whether oil lamps or candles, used on board vessel in Port shall be in globes or secured lanterns provided that naked lights may be used in the engines and boilers of vessels whilst under inspection and repair or in the discharge of duties connected there-with.

119. Charge of fires and light on board vessels. — At least one person on board a vessel shall be specially charged with the care of any fire or light and no such fire or light shall be left or used in such rash, careless or negligent a manner as to cause risk or endanger the safety of, or cause ignition of any goods, property or vessels in Port.

120. Use of fires on board vessels under special circumstances. — All applications for special permission to use fires on board any vessel in Port at any time other than during the prescribed hours shall be made in writing to the Deputy Conservator before 4.30 p.m. (S.T.) and shall specify the circumstances under which the request is made; if granted the application after having been endorsed by the Deputy Conservator shall be retained on board by the person charged with care of the fire and shall be exhibited to the Port and police officials whenever demanded, and shall be returned to the Deputy Conservator by 10.30 a.m. (S.T.) on the following day.

121. Accessibility of vessels to Port and Police officials. — Vessels in port and all parts thereof shall be held and made free and accessible to Port and Police officials for inspection purposes in regard to fires and lights whenever demanded and no person shall disobey, any order of any police officer or watchman for extinguishing any fire or light used in contravention of these regulations.

122. Remission to take photographs in the harbour. — No person shall take photographs inside the harbour without the written permission of the Traffic Manager.

123. Penalty. — Except where a penalty has been specifically provided for in the Major Port Trusts Act, 1963, or in any of these regulations the penalty for breach of any of these regulations shall be rupees two hundred and where the breach is of a continuing nature, the penalty shall be rupees two hundred for every such breach.

124. Interpretation. — If any question arises regarding the interpretation of these regulations, the matter shall be referred to the Board who shall decide the same.

By Order.

Mormugao, 17th December, 1965. — *Shivakumar Dhindaw*, Secretary.